
Manitoba Clean Environment Commission

Annual Report 2008-2009



Manitoba
ENVIRONMENT
SUSTAINABILITY

Manitoba 

Manitoba Clean Environment Commission

Annual Report 2008-2009



MINISTER OF CONSERVATION

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

His Honour
The Honourable John Harvard, C.M., O.M.
Lieutenant-Governor of Manitoba
Room 235 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Your Honour:

The undersigned has the honour to present the Annual Report of the Clean Environment Commission detailing its activities for the fiscal year ending March 31, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Stan Struthers".

Stan Struthers
Minister



Manitoba
CLEAN·ENVIRONMENT™
C O M M I S S I O N

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The Honourable Stan Struthers
Minister of Conservation
Room 330 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Struthers:

Pursuant to the provisions of Section 6(10) of The Environment Act I am pleased to submit to you the Commission's annual report for the year ending March 31, 2009.

Submitted on behalf of the Commission.

Terry Sargeant
Chair

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The Manitoba Clean Environment Commission

The Minister responsible for *The Environment Act* during the 2008-2009 fiscal year was the Honourable Stan Struthers. Commission membership consisted of a full-time Chairperson and citizen appointees. They were:

Terry Sargeant (Chairperson)

Margaret Allan

Norm Brandson

Gisele Funk

Kenneth Gibbons

Ian Halket

John Harvie

Judy Head

John Hreno

Gerard Lecuyer

Patricia MacKay

Aurelie Mogan

Wayne Motheral

Wayne Sato

Ken Wait

Edwin Yee

Frank Young



Role and Responsibilities

Mandate

The Clean Environment Commission is established under *The Environment Act* (1988) to provide an avenue through which the public can participate in the decision making process regarding the environment in Manitoba. The Commission also provides advice and recommendations to the Minister and plays a role in the application of *The Contaminated Sites Remediation Act*.

Commission membership includes a full-time Chairperson and part-time Commissioners appointed by Order-in-Council. Commissioners come from a wide variety of backgrounds and disciplines as well as different regions of the province.

The Commission may engage in the following activities to assist in environmental management:

Public Hearings

As part of the provincial environmental assessment process, the public is invited to submit comments and/or objections regarding a proposed project through the Public Registry. In response to valid concerns, the Minister of Conservation may request the Clean Environment Commission to convene a public hearing. During such a hearing the Commission receives representations from the project proponent, the general public-both supporters and opponents, and from various government departments responsible for reviewing the proposal. The Commission reviews the evidence and information presented at the hearing and prepares a report containing advice and recommendations for the Minister.

Upon receipt of the Commission's report, the Minister may choose to accept all or part of its recommendations but is under no legal obligation to do so. If, however the Commission's recommendations are not acted upon, or incorporated into the licence under review, written reasons must be provided by the Minister or the Department of Conservation and these must be filed in the Public Registry.

In addition to licensing matters, some environmental issues require public involvement before government policy can be developed. In these cases, the Minister of Conservation can request that the Commission convene a hearing to gather public opinion.

Manitoba Conservation has also signed onto a Canada-Manitoba Agreement on Environmental Assessment Cooperation with Environment Canada. As part of this agreement, regarding

projects where there is also federal jurisdiction, a process is set out respecting joint review. Commission hearings may be used as a source of information for the federal review or there may be a joint review panel formed for specific projects. Commission members would be part of these panels.

Investigations

The Environment Act allows the Commission to investigate any matter of environmental concern and to provide advice and recommendations to the Minister of Conservation.

Mediation

The Commission can provide mediation services to parties involved in an environmental management dispute. These activities are undertaken at the request of the Minister of Conservation. The Commission reports to the Minister regarding the outcome of any mediation exercises in which it becomes involved.



Message from the Chairperson

During the fiscal year 2008 – 2009, the Clean Environment Commission continued its work in addressing environmental policy issues.

In the previous year, we had been asked to investigate the environmental sustainability of hog production in Manitoba. In this reporting year, we were asked to examine the issue of nutrient removal from municipal wastewater, specifically that of the City of Winnipeg.

As with the hog industry review, this was an alternate type of review for the Commission. Whereas, our reviews are typically conducted in respect of a proposed project, this one centered on a specific environmental issue that called for a somewhat different process.

This investigation did not lend itself to a public hearing. Instead, we consulted widely – with officials in various government departments, both federal and provincial; with City officials; and with scientists at universities in Manitoba, Saskatchewan and Alberta.

We attended conferences in Winnipeg, one specifically focused on Lake Winnipeg pollution issues; another on more general concerns about the Red River. And, we conducted an intensive review of related scientific literature from around the world.

Nutrient management has a significant impact on the health of Lake Winnipeg. The issue came fraught with baggage. Scientific opinion covered a very wide spectrum. Debate had become passionate, polarized, and public. It risked becoming overly simplified and too narrowly focused.

The panel, which included Ian Halket and Edwin Yee and me, came to conclusions and produced a report that we believe is a fair and comprehensive review of the matter. The report was delivered to the Minister in late-March. The implementation of its recommendations will play a significant role in addressing the concerns arising from nutrients in our environment. Nonetheless, this is but a first step.

Under The Contaminated Sites Remediation Act, the Clean Environment Commission is given the role of the body to hear appeals to decisions made pursuant to The Act. In this past year, we had our first ever appeal. However, it did not come to much, as the parties settled prior to the hearing of the appeal.

As always, the members of the Commission could not do our work without the excellent support of our staff. I would like to thank them – and those we contract for specific reviews – for their dedicated efforts.

The Commission looks forward to continuing to play its role in ensuring the stewardship of the Manitoba environment.

Terry Sargeant



Hearings

OlyWest Hog Processing Plant

On August 29, 2006 the Minister of Conservation issued the terms of reference to the Commission to conduct a public hearing into the construction and operation of the OlyWest Hog Processing Plant Proposal.

Preparations for the hearing began, but in January 2007, the Proponent announced that two of the three funding partners withdrew from the deal. With the viability of the proposal in question, the hearing was postponed, rather than expend a great deal of effort and funds to evaluate an uncertain proposal. This postponement was to continue until such time as there was greater comfort that the project would proceed if a licence were to be granted. As of March 31, 2007, this had not occurred.

The environmental licensing application remained on file throughout all of 2007-2008. Hytek, the Proponent, continued to examine alternate siting options and alternate projects from the original proposal as support for the site in southeast Winnipeg was suspended by the City of Winnipeg, as was provincial funding. Early in 2008, Hytek announced that they had finalized a deal for an alternate establishment. The licence application, for the Winnipeg location, was withdrawn in June 2008, thus closing this file.

Investigations

City of Winnipeg, Nutrient Reduction and Ammonia Treatment of Wastewater

In September 2008, in accordance with section 6(5)(a), and (c) of *The Environment Act*, the Manitoba Minister of Conservation made a request to the Clean Environment Commission (the Commission/CEC) that it conduct an investigation into nutrient reduction and ammonia treatment at the City of Winnipeg's wastewater treatment facilities. The request included the following terms of reference:

1. The CEC will conduct an investigation and provide advice and recommendations regarding the following matters:
 - a) The appropriate and sustainable level of nitrogen reduction, if any additional reduction is required, for the City of Winnipeg wastewater treatment facilities, in order to protect the receiving waters, including Lake Winnipeg.

- b) The feasibility and sustainability of phasing in nitrogen reduction requirements later than ammonia and phosphorus reduction requirements.

In conducting this investigation the Commission was requested to take into account its 2003 *Report of Public Hearings, City of Winnipeg Wastewater Collection and Treatment Systems*, the current phosphorus, ammonia and total nitrogen limits included in *The Environment Act* licences for the City of Winnipeg's wastewater treatment facilities, a report from Associated Engineering regarding nutrient reduction, relevant scientific literature, and relevant scientific and technical advice.

The Commission established a three-person panel that reviewed the Commission's previous report on City of Winnipeg wastewater treatment, the relevant *Environment Act* licences, the Associated Engineering report, documentation provided by provincial and municipal agencies, and the current applicable scientific literature. In addition, it met with officials from the City of Winnipeg and the Departments of Water Stewardship and Conservation, and experts in the relevant scientific and technical fields. The panel members also attended *The Red Zone: Currents, Chemicals and Change*, a special symposium dealing with issues relating to the Lake Winnipeg watershed, sponsored by the University of Winnipeg and the Lake Winnipeg Foundation. It assessed the evidence presented to it on the basis of the provincial Principles and Guidelines of Sustainable Development.

The resulting report was delivered to the Minister on March 23, 2009. The report provides background on nutrients, nutrient loading, their impact on Manitoba's waters and their treatment in wastewater systems. Also described is the regulatory and policy framework controlling nutrient loading in the province, circumstances surrounding the existing licences issued for wastewater treatment plants, and a summary of the Associated Engineering Report. A chapter is devoted to discussing the differences of expert opinion on the control of phosphorus alone, nitrogen alone or both phosphorus and nitrogen and their effects on eutrophication. The City of Winnipeg also raised a number of issues, from the 2003 hearing, that required re-address.

The Commission provided seven recommendations to the Minister, some directly addressing the question or areas surrounding this question: Should both nitrogen and phosphorus be removed from the City of Winnipeg wastewater? Other recommendations provided guidance on implementing Manitoba's Water Strategy.

The Commission panel determined that both nitrogen and phosphorus should be removed from City of Winnipeg wastewater and that phasing in of nitrogen removal was not appropriate. It also

recommended that the City of Winnipeg should use nutrient removal processes, such as biological nutrient removal, that increase resource recovery and reduce the City's environmental footprint to the greatest extent possible.

The Commission has been consistent in its view that all players must play their respective parts in addressing environmental concerns. Environmental nutrient management is about addressing incremental nutrient releases. Management of all sources of nutrients is important to the future state of Manitoba's waters.

An investigation into nutrient reduction and ammonia treatment at the City of Winnipeg's wastewater treatment facilities, Foreword. 2009.

Louisiana Pacific Strandboard Plant Emission Controls

On March 26, 2009, the Minister of Conservation provided a reference to the Clean Environment Commission requesting it conduct an investigation into and provide advice and recommendations regarding a request by Louisiana Pacific to alter the emission control conditions of *The Environment Act* license governing the operation of the oriented strandboard plant in the Swan Valley. The request included the following terms of reference:

1. The CEC will conduct an investigation and provide advice and recommendations to the Minister regarding the potential health and environmental effects of the increased emission limits and the subsequent decommissioning of the Regenerative Thermal Oxidizer technology which is contained in Louisiana Pacific's requested license change.
2. In conducting this investigation and in providing advice and recommendations, the CEC will provide members of the public an opportunity for input regarding LP's proposal at a public meeting in the affected community.
3. As LP's current licence has a requirement for the Director of Environmental Assessment and Licensing to review the terms and conditions of the licence prior to June 1, 2009, the CEC process should begin as soon as possible, and should be completed by that date.

This investigation will begin early in the 2009/2010 fiscal year and will be reported on in the annual report for that year.

Other Activities

Groundwater Interference Claims Adjudication

On July 8, 2005, the Minister for Manitoba Conservation issued Environment Act Licence No. 2691 pursuant to *The Environment Act* and Canada's Responsible Authorities made a decision pursuant to the *Canadian Environmental Assessment Act* to permit the Red River Floodway Expansion Project to proceed. Both the provincial license and federal screening report included conditions related to groundwater protection and public involvement.

During the 2005 hearing, the Manitoba Floodway Authority (MFA) announced a mitigation fund to address issues such as Floodway-related groundwater contamination and the loss of water supply. The Clean Environment Commission in its report dated June 2005, made recommendation number 7.7 to the Minister that, as a condition of a licence to expand and maintain the Floodway, an arms-length appeal body should be established to adjudicate claims regarding groundwater issues. Clause 32 of Environment Act Licence No. 2691 required that the MFA file a proposal by January 8, 2006, for the adjudication of claims regarding groundwater issues related to the Project. The MFA proposed an adjudication panel that would provide a recommendation for action to the Director of Environmental Assessment and Licensing.

The purpose of the Groundwater Interference Claims Adjudication Panel (the Panel) is to provide an arms-length and independent examination of appeals made by persons who believe that the construction of the expanded Floodway has adversely affected their use of groundwater and that the MFA response to their complaint has not appropriately mitigated the effects. The Manitoba Floodway Authority made a request to the Minister of Conservation for the Clean Environment Commission to provide this service, as it has the administrative structure and experience to undertake such activities in a timely and thorough fashion.

The Commission received such a request for adjudication on March 7, 2008 and a Panel was convened. The adjudication request involved a resident whose well had gone dry in early October 2007, in the area of Floodway Authority operations and had been denied restitution by the Floodway Authority. After examination of the documentation and an independent investigation by the Panel, a hearing was held on May 30, 2008. A recommendation for action was forwarded to the Director of Environmental Assessment and Licensing on June 23, 2008.

Contaminated Sites Remediation

As outlined in section 39(1) of *The Contaminated Sites Remediation Act (The Act)* a party may appeal a Director's decision regarding their responsibility for a contaminated site to the Clean Environment Commission.

In August 2008, such an appeal was made regarding a Director's decision for the *Designation as a Potentially Responsible Person* made under Section 11(1) of *The Act*.

A three member Panel was struck and preliminary preparations proceeded. During preparation for a pre-hearing meeting, the Commission was advised that a settlement agreement was reached between the two parties that were previously in disagreement. In January 2009, the appeal was withdrawn.

Hog Production Industry Review – Update

Shortly after submission of the Commission's report, *Environmental Sustainability and Hog Production in Manitoba*, to the Minister of Conservation in late 2007, it was announced that the recommendations were accepted by the government. The Commission was pleased to receive an update on actions taken, over the past year, to implement these recommendations. There has been progress in the implementation of many of the priority recommendations and plans to address many others shortly. The Commission looks forward to future updates.

Professional Development and Training

Commission members and staff attended workshops and conferences that provided professional development in the area of tribunals and hearings, environmental assessments and current environmental topics and issues. Examples of the workshops and conferences included: 24th Annual Canadian Council on Administrative Tribunals Conference, Manitoba Council of Administrative Tribunals (MCAT) Third Annual Conference, *Getting it Right*, Roundtable on Energy Policy sponsored by CanadaWest Foundation, Manitoba Access & Privacy Conference 2008, 61st Canadian Water Resources Association annual conference, *Red Zone: Currents, Chemicals and Change* sponsored by the Lake Winnipeg Foundation and the University of Winnipeg, *Assessing and Managing Cumulative Environmental Effects* sponsored by the International Association for Impact Assessment, 26th Annual Red River Basin Land & Water International Summit Conference and Supreme Court Justice Rothstein presentation.

There continues to be a demand, from around the world, for files, proceedings and reports from previous hearings. Many requests are triggered by current proposals for similar projects or re-licensing or minor alterations and expansion of existing developments.



Audiences

Usine de transformation de porc OlyWest

Le 29 août 2006, le ministre de la Conservation a donné à la Commission un mandat pour la tenue d'une audience publique sur la proposition de construction et d'exploitation de l'usine de transformation de porc OlyWest.

Les préparations de l'audience publique ont commencé, mais en janvier 2007, le promoteur a annoncé que deux des trois partenaires financiers s'étaient retirés de l'offre. Comme la viabilité de la proposition était remise en question, l'audience a été ajournée afin d'éviter que beaucoup d'efforts et d'argent ne soient dépensés pour examiner une proposition incertaine. Cet ajournement devait se poursuivre jusqu'à ce qu'il y ait eu une plus grande certitude que le projet serait effectivement réalisé en cas de délivrance d'une licence. Cela n'était pas le cas au 31 mars 2007.

La demande de licence environnementale est restée dans les dossiers en cours pendant toute l'année 2007-2008. Comme la Ville de Winnipeg avait retiré son appui à un site au sud-est de la ville et que la Province avait retiré son aide financière, le promoteur, Hytek, a continué d'examiner d'autres possibilités de site et d'envisager d'autres projets par rapport au projet original. Au début de 2008, Hytek a annoncé qu'il avait conclu un accord pour un établissement de rechange. La demande de licence pour l'emplacement de Winnipeg a été retirée en juin 2008, et ce dossier est maintenant fermé.

Enquêtes

Réduction des nutriments et traitement de l'ammoniac dans les eaux usées de la Ville de Winnipeg

En septembre 2008, conformément aux alinéas 6(5)a) et c) de la *Loi sur l'environnement*, le ministre de la Conservation du Manitoba a demandé à la Commission de protection de l'environnement (la Commission) de mener une enquête sur la réduction des nutriments et le traitement de l'ammoniac dans les installations de traitement des eaux usées de la Ville de Winnipeg. La demande comprenait le mandat suivant :

1. La Commission mènera une enquête et fournira des conseils et des recommandations concernant les questions suivantes :
 - a) dans le cas où une réduction supplémentaire de l'azote est nécessaire, le niveau souhaitable et durable de réduction de l'azote dans les installations de traitement des

eaux usées de la Ville de Winnipeg afin de pouvoir protéger le milieu récepteur, y compris le lac Winnipeg;

b) la faisabilité et la durabilité d'introduire progressivement les exigences de réduction de l'azote à une date ultérieure à celle prévue pour l'introduction des exigences de réduction de l'ammoniac et du phosphore.

Dans la conduite de cette enquête, on a demandé à la Commission de prendre en considération les éléments suivants : son rapport de 2003 intitulé *Report of Public Hearings, City of Winnipeg Wastewater Collection and Treatment Systems* (« rapport sur les audiences publiques concernant le système de collecte et de traitement des eaux usées de la Ville de Winnipeg »); les limites actuelles de concentration de phosphore, d'ammoniac et d'azote total inclus dans les licences délivrées en vertu de la *Loi sur l'environnement* pour les installations de traitement des eaux usées de la Ville de Winnipeg; un rapport publié de la firme Associated Engineering concernant la réduction des nutriments; la documentation scientifique pertinente et les conseils scientifiques et techniques valables.

La Commission a établi un comité de trois personnes qui a examiné le rapport précédent de la Commission sur le traitement des eaux usées de la Ville de Winnipeg, les licences pertinentes délivrées en vertu de la *Loi sur l'environnement*, le rapport de la firme Associated Engineering, la documentation fournie par les organismes provinciaux et municipaux et la documentation scientifique existante applicable. De plus, le comité a rencontré les représentants de la Ville de Winnipeg et des ministères de la Gestion des ressources hydriques et de la Conservation, ainsi que des experts dans les domaines scientifiques et techniques pertinents. Les membres du comité ont également assisté au symposium *The Red Zone: Currents, Chemicals and Change*, un symposium spécial traitant des questions liées au bassin hydrologique du lac Winnipeg et parrainé par l'Université de Winnipeg et la Lake Winnipeg Foundation. Le comité a apprécié les preuves qui lui ont été présentées en se fondant sur les principes et les lignes directrices de développement durable de la Province.

Le rapport qui en a résulté a été présenté au ministre le 23 mars 2009. Le rapport fournit des renseignements généraux sur les nutriments, la charge en éléments nutritifs, leurs répercussions sur les eaux du Manitoba et leur traitement dans les systèmes de collecte et de traitement des eaux usées. Il décrit aussi le cadre réglementaire et politique qui régit la charge des éléments nutritifs dans la province, ainsi que les circonstances entourant les licences actuelles délivrées aux usines de traitement des eaux usées, et il contient un sommaire du rapport présenté par la firme Associated Engineering. Un des chapitres du rapport est consacré aux divergences d'opinions entre les experts en ce qui concerne le contrôle du phosphore seulement, de l'azote

seulement ou du phosphore et de l'azote et leurs effets sur l'eutrophisation. La Ville de Winnipeg a aussi soulevé un certain nombre de questions tirées de l'audience de 2003 qui, selon elle, devraient être réexaminées.

La Commission a présenté sept recommandations au ministre, dont quelques-unes concernaient directement la question suivante, ou certains domaines liés à cette question : devrait-on supprimer et l'azote et le phosphore des eaux usées de la Ville de Winnipeg? D'autres recommandations fournissaient des directives quant à la mise en œuvre de la Stratégie manitobaine de gestion de l'eau.

Le comité de la Commission a déterminé que l'azote et le phosphore devraient être tous deux supprimés des eaux usées de la Ville de Winnipeg et que l'élimination graduelle de l'azote n'était pas une solution appropriée. Il a également recommandé que la Ville de Winnipeg utilise des procédés d'élimination des nutriments, comme l'élimination biologique, qui augmentent la récupération des ressources et atténuent dans la mesure du possible l'empreinte écologique de la Ville.

La Commission a toujours été d'avis que chaque intervenant doit faire sa part pour résoudre les questions environnementales. Pour assurer la gestion environnementale des nutriments, il faut se préoccuper du dégagement progressif de ces nutriments. La gestion de toutes les sources de nutriments est importante pour garantir la qualité future des eaux du Manitoba.

[TRADUCTION]

An investigation into nutrient reduction and ammonia treatment at the City of Winnipeg's wastewater treatment facilities, Foreword, 2009.

Mesures de lutte contre les émissions de l'usine de panneaux à copeaux orientés de la Louisiana Pacific

Le 26 mars 2009, le ministre de la Conservation a donné mandat à la Commission de protection de l'environnement de mener une enquête sur la demande de la Louisiana Pacific en vue de modifier les exigences en matière de lutte antiémission stipulées dans la licence délivrée en vertu de la *Loi sur l'environnement* qui régissent l'exploitation de l'usine de panneaux à copeaux orientés à Swan Valley. Le ministre a également demandé que la Commission formule des conseils et des recommandations à ce sujet. Le mandat comprenait les éléments suivants :

1. La Commission mènera une enquête et formulera à l'intention du ministre des conseils et des recommandations concernant les répercussions possibles sur la santé et

l'environnement engendrées par le dépassement des limites d'émission et le déclassement subséquent de la technologie d'oxydation thermique régénératrice, mentionnés dans la demande de modification de licence de la Louisiana Pacific.

2. Au cours de la conduite de cette enquête et au moment de formuler ses conseils et recommandations, la Commission donnera l'occasion aux membres du public de faire part de leurs commentaires concernant la proposition de Louisiana Pacific, au cours d'une réunion ouverte qui se tiendra dans la collectivité visée.
3. Étant donné que l'une des exigences de la licence actuelle de Louisiana Pacific stipule que le directeur des évaluations environnementales et des licences doit réviser les modalités de la licence avant le 1^{er} janvier 2009, le processus de la Commission de protection de l'environnement devrait commencer dès que possible et se terminer avant cette date.

Cette enquête commencera au début de l'exercice 2009-2010 et ses résultats seront présentés dans le rapport annuel pour cet exercice.

Autres activités

Règlement des plaintes d'interférence relatives aux eaux souterraines

Le 8 juillet 2005, le ministre de la Conservation a délivré la licence n° 2691 en vertu de la *Loi sur l'environnement*, et les autorités canadiennes responsables ont décidé, en vertu de la *Loi canadienne sur l'évaluation environnementale*, d'autoriser la mise en œuvre du Projet d'agrandissement du canal de dérivation de la rivière Rouge. La licence provinciale et le rapport d'examen préalable du gouvernement fédéral comprenaient tous deux des conditions liées à la protection des eaux souterraines et à la participation du public.

Au cours de l'audience de 2005, la Commission du canal de dérivation du Manitoba a annoncé l'établissement d'un fonds d'atténuation des effets environnementaux afin de résoudre certains problèmes comme la contamination des eaux souterraines et la perte de sources d'approvisionnement en eau. Dans son rapport de juin 2005, la Commission de protection de l'environnement a recommandé au ministre (recommandation n° 7.7), comme condition de délivrance d'une licence pour agrandir et entretenir le canal de dérivation de la rivière Rouge,

l'établissement d'un organisme d'appel indépendant qui serait chargé de statuer sur les plaintes concernant les questions d'eaux souterraines. La clause 32 de la licence n° 2691 délivrée en vertu de la *Loi sur l'environnement* exigeait que la Commission du canal de dérivation présente, d'ici le 8 janvier 2006, une proposition portant sur le règlement des plaintes concernant les questions d'eaux souterraines liées au projet. La Commission du canal de dérivation a proposé l'établissement d'un comité d'arbitrage qui recommanderait des mesures à prendre au directeur des évaluations environnementales et des licences.

La raison d'être du Comité de règlement des plaintes d'interférence relatives aux eaux souterraines (le Comité) est de fournir un examen autonome et indépendant des appels interjetés par des personnes qui croient que l'élargissement du canal de dérivation a porté atteinte à leur approvisionnement en eau souterraine et que les mesures prises par la Commission du canal de dérivation n'ont pas atténué les effets de manière satisfaisante. La Commission du canal de dérivation a demandé au ministre de la Conservation que la Commission de protection de l'environnement fournisse ce service, étant donné que l'organisme possède l'infrastructure administrative et l'expérience nécessaires pour entreprendre ce type d'activités de manière approfondie et en temps opportun.

La Commission a reçu une telle demande de règlement le 7 mars 2008 et un comité a été constitué à cet effet. La demande concernait un résident dont le puits, situé à proximité des travaux d'agrandissement du canal de dérivation, s'était asséché au début d'octobre 2007 et dont la demande de compensation présentée à la Commission du canal de dérivation avait été rejetée. Après que le Comité a examiné les documents et mené une enquête indépendante, une audience a été tenue le 30 mai 2008. Le 23 juin 2008, le Comité a transmis au directeur des évaluations environnementales et des licences une recommandation de mesure à prendre.

Assainissement des lieux contaminés

Tel que le stipule le paragraphe 39 (1) de la *Loi sur l'assainissement des lieux contaminés* (la *Loi*), une partie peut faire appel devant la Commission de protection de l'environnement d'une décision du directeur quant à sa responsabilité concernant l'assainissement d'un lieu contaminé.

En août 2008, une décision du directeur concernant la *Désignation des personnes potentiellement responsables* en vertu du paragraphe 11(1) de la *Loi* a fait l'objet d'un tel appel.

La Commission a formé un groupe spécial composé de trois membres et a procédé aux travaux préliminaires. Au cours de la préparation d'une réunion préalable à l'audience, la Commission a

été avisée que les deux parties au différend étaient parvenues à un règlement amiable. En janvier 2009, l'appel a été abandonné.

Examen de l'industrie porcine – Mise à jour

Peu de temps après la présentation du rapport de la Commission, *Environmental Sustainability and Hog Production in Manitoba*, au ministre de la Conservation à la fin de 2007, le gouvernement a annoncé qu'il avait accepté les recommandations de la Commission. La Commission a été satisfaite de recevoir une mise à jour des mesures prises au cours de l'année pour mettre en œuvre ces recommandations. Des progrès ont été réalisés dans la mise en œuvre d'un grand nombre de recommandations prioritaires et des plans d'action ont été élaborés pour en exécuter beaucoup d'autres prochainement. La Commission espère recevoir d'autres mises à jour à l'avenir.

Formation et perfectionnement professionnel

Les membres et les employés de la Commission ont assisté à des ateliers et à des conférences de perfectionnement professionnel dans le domaine des tribunaux et des audiences, des évaluations environnementales et des questions environnementales d'actualité. Parmi les exemples d'ateliers et de conférences, citons : la 24^e conférence annuelle du Conseil des tribunaux administratifs canadiens; la troisième conférence annuelle du conseil des tribunaux administratifs du Manitoba; le projet *Getting it Right*, une table ronde sur la politique énergétique parrainée par la Canada West Foundation; la Conférence manitobaine 2008 sur l'accès à l'information et la protection des renseignements personnels; la 61^e conférence annuelle de l'Association canadienne des ressources hydriques, *Red Zone: Currents, Chemicals and Change*, un symposium parrainé par la Lake Winnipeg Foundation et l'Université de Winnipeg; la conférence *Assessing and Managing Cumulative Environmental Effects* parrainée par l'International Association for Impact Assessment; le 26^e sommet international annuel sur le bassin de la rivière Rouge et la présentation de M. Rothstein, juge de la Cour suprême.

La Commission continue de recevoir du monde entier des demandes de copies des dossiers, des comptes rendus et des rapports sur les audiences qui ont déjà eu lieu. Nombre de ces demandes découlent de propositions actuelles pour des projets similaires ou de demandes de renouvellement de licence, de modifications mineures ou d'expansion d'exploitations en cours.



Manitoba Clean Environment Commission Publications

Preliminary Report on Contamination of Underground Water Sources by Refined Petroleum Products (1975)

Report on the Investigation of the Pollution of Underground Water by Refined Petroleum Products (1975)

Report on the Investigation of Smoke Problems Encountered in Southern Manitoba in 1976 (1977)

Report on an Investigation of Intensive Livestock Production Operations in Manitoba (1979)

Report on a Proposal Concerning Surface Water Quality Objectives and Stream Classification for the Province of Manitoba (1979)

Report on a Proposal for the Classification of Manitoba's Surface Water Souris River Principal Watershed Division (1980)

Report on Red River Waters (Proposed Classification of Surface Water Quality In Manitoba's Red River Principal Watershed Division and Certain Red River Tributaries) (1980)

Report on Proposed Classification of Surface Water Quality in Manitoba's Grass-Burntwood Rivers Principal Watershed Division (1981)

Report on a Proposal for the Classification of Manitoba's Surface Water Red River Principal Watershed Division (1981)

Report on a Proposal for the Classification of Manitoba's Surface Water Grass-Burntwood Rivers Principal Watershed Division (1982)

Report on Mosquito Control Programs in Manitoba (1982)

Report on Environmental Land Use Conflict - Balmoral, Manitoba (1983)

Report on Hazardous and Special Wastes Stage 1 of Phase 1 of Program (1983 & 1984)

Report on the Review of the Plan for the Rehabilitation of the Site of the Domtar Inc. Former Wood Preserving Plant, Transcona, Manitoba (1984)

Report on Manitoba Hazardous Waste Management Program (Volume 1) (1987)

Report on Manitoba Hazardous Waste Management Program (Volume 2) (1987)

Report on the Draft Regulation Respecting Atmospheric Emissions of Sulphur Dioxide and Particulates From Inco Limited in Thompson and HBM & S Co. Limited in Flin Flon (1987)

Report on Investigation of Smoke Problems from Agricultural Crop Residue and Peatland Burning (1987)

Report on Netley Creek Golf Course Development Proposal (1988)

Report on Burns Rendering Plant, Brandon, Review of the Environment Department Licence Regulating the Operation of and Emissions from the Plant (1988)

Report on Village of Shoal Lake Sewage Lagoon Proposal (1988)

Report on Puffy Lake Gold Mine (1988)

Report on Bonne Homme Colony Farms, Rural Municipality of Westbourne (1988)

Report on Upland Colony Farms Sewage Lagoon System (1988)

Report on Precise-To-Form Castings Inc. Investment Casting Foundry Operation (1988)

Report on McCain Foods Limited, Portage la Prairie (1988)

Preliminary Report on a Proposal by Canamax Resources Inc. for the Development of a Potash Mine at Russell, Manitoba (1988)

Final Report on a Proposal by Canamax Resources Inc. for the Development of a Potash Mine at Russell, Manitoba (1989)

Report on Clearwater Lake Watershed Basin Surface Water Quality Classification (1989)

Report on Shell Prairie Inn and Gas Station Wastewater Treatment and Disposal System (1989)

Report on Westlake Regional Water Supply Proposal (1989)

Report on City of Portage la Prairie Sewage Sludge Disposal Project (1989)

Report on North Duck River Headwater Storage Project (1989)

Report on Town of Beausejour Sewage Lagoon Expansion (1989)

Report on COJEF Limited Burning Site (1989)

Report on Deago Properties Sewage Treatment Plant (1989)

Report on Rural Municipality of Rhineland/Town of Altona Liquid Waste Holding Ponds for C.S.P. Foods Ltd. (1989)

Report on Namew Lake Mine/Mill (1989)

Report on Provincial Road #340 Class 2 Highway Relocation Project (1989)

Report on Repap Manitoba Inc. Phase I Modification and Expansion of the Manfor Complex (1989)

Report on Norquay Holding Company Sewage Lagoon (1989)

Report on Airport Holding Co. Ltd. Domestic Wastewater Treatment Lagoon (1990)

Report on Rural Municipality of Portage la Prairie Liquid Waste Disposal Facility (1990)

Report on Highway Gardens Ltd. Variation to Licence #391 (1990)

Report on Whiteshell Colony Farms Ltd. Domestic Waste-water Treatment Lagoon (1990)

Report on Pelican Lake Enhancement Project (1990)

Report on Village of St. Claude Sewage Lagoon and Discharge Route (1990)

Report on Ducks Unlimited Canada Oak Hammock Marsh Conservation Centre/Office Proposal (1990)

Report on Meadow Materials (Dow Corning Silicon Energy Systems, Inc.) Pilot Plant (1990)

Report on Beausejour Auto Wrecking Continuing Operation (1991)

Report on Hudson Bay Mining & Smelting Co. Ltd. Namew Lake Mine/Mill - A Review (1991)

Report on Abitibi-Price Inc. FML #01 Forest Resource Management Plan 1991 - 1998 (1992)

Report on Application of Water Quality Objectives for the Watershed Classification of the Red and Assiniboine Rivers and Tributaries Within and Downstream of the City of Winnipeg (1992)

Report on General Scrap & Car Shredder Ltd. Review of Environment Act Licence 898VC (1992)

Report on Manitoba Hazardous Waste Management Corporation Central Hazardous Waste Management Facility Licence Application (1992)

Rapport Sur Les Audiences Publiques: Demande De Permis Relative À Un Centre de Gestion Des Déchets Dangereux Présentée Par La Corporation Manitobaine De Gestion Des Déchets Dangereux (1992)

Report on Good Hope Holding Company Ltd. Wastewater Treatment Lagoon, Rural Municipality of Portage la Prairie (1992)

Report on the Rural Municipality of Rhineland and The Town of Altona Regarding Ongoing Disposal Practices for Soap-stock and Bleaching Clay Generated by CanAmara Foods Ltd. (1992)

Report on Public Hearings: City of Winnipeg - Deacon Reservoir Expansion, Rural Municipality of Springfield (1993)

Report on Public Hearings: Village of Teulon - Wastewater Stabilization Pond and Pipeline, Rural Municipality of Rockwood (1994)

Report on Public Hearings: Pembina Valley Water Cooperative Inc. Regional Water Supply Proposal (1994)

Report on Public Hearings: Louisiana-Pacific Corporation Oriented Strand Board Plant, Rural Municipality of Minitonas (1994)

Report on Public Hearings: Asessippi Ski Hil Project, Rural Municipality of Shellmouth (1995)

Report on Public Hearings: Solid Waste Management - Capital Region (1995)

Rapport Sur Les Audiences Publiques: Concernant La Gestion Des Déchets Solides Dans La Région De La Capitale (1995)

Report on Public Hearings: Browning Ferris Industries (BFI) Waste Systems Inc. Integrated Waste Management Facility, Rural Municipality of Rosser (1995)

Report on Public Hearings: Louisiana-Pacific Canada Ltd. Ten Year Forest Management Plan 1996-2005 (1996)

Report on Public Hearings: Tolko Manitoba Inc. - Forest Management Plan 1997-2009 (1997)

Report on Public Hearings: Town of Carman Abatement Project – Linear Grain Inc. – Anhydrous Ammonia Storage Tank Relocation (1999)

Manitoba and Climate Change: A Primer (2001)

Workshop Report: Review of Electric and Magnetic Fields (EMFs) (2001)

Report on Public Hearings: Simplot Canada Ltd. Potato Processing Plant, Portage la Prairie/City of Portage la Prairie Water Pollution Control Facility (2002)

Report to the Government of Manitoba on Public Meetings: Flood Protection Options for the City of Winnipeg (2002)

Rapport au gouvernement du Manitoba sur les audiences publiques relatives aux solutions en matière de protection contre les inondations pour la ville de Winnipeg (2002)

Report to the Minister of Conservation on Public Meetings: Draft Environmental Impact Statement Guidelines for the Wuskwatim Generation and Transmission Projects (2002)

Interim Report on Public Hearings: City of Winnipeg Wastewater Collection and Treatment Systems – “Sewage Spill” (2003)

Better Treatment – “Taking Action to Improve Water Quality”. Report on Public Hearing: City of Winnipeg Wastewater Collection and Treatment System (2003)

Report on Public Hearings: City of Brandon Industrial Wastewater Treatment Facility Expansion and Maple Leaf Foods Inc. Hog Processing Plant Alteration (2003)

Report on Public Hearings: Rural Municipality of Brokenhead (Garson, Tyndall, and Henryville) Water/Sewer Infrastructure Project (2003)

Report on Public Hearings: Wuskwatim Generation and Transmission Projects (2004)

Summary of Public Hearing: Wuskwatim Generation and Transmission Projects (2004) (also available in Cree).

Report on Public Hearing: Red River Floodway Expansion (2005).

Participants' Handbook. (2005).

Participate in an Environmental Hearing. (2005). Brochure.

Report on Public Hearing: Pembina Valley Water Cooperative, Supplemental Groundwater Supply System. (2007).

Environmental Sustainability and Hog Production in Manitoba. (2007).

An investigation into nutrient reduction and ammonia treatment at the City of Winnipeg's wastewater treatment facilities. (2009)

NOTE: *Copies of all Commission reports are available from the Commission office upon request and those published after 1980 are also available on the website www.cecmanitoba.ca.*

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